IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TECHNO LICENSING LLC,	§	
	§	
Plaintiff,	§	Case No:
	§	
vs.	§	PATENT CASE
	§	
TAIT NORTH AMERICA, INC.	§	
	§	
Defendant.	§	
	§	

COMPLAINT

Plaintiff Techno Licensing LLC ("Plaintiff" or "Techno") files this Complaint against Tait North America, Inc. ("Defendant" or "Tait") for infringement of United States Patent No. 7,797,011 (hereinafter "the '011 Patent").

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with its office address at 3411 Preston Rd., Suite C, Frisco, Texas 75034.

4. On information and belief, Defendant is a Texas corporation with a principal address of 15340 Park Row Drive, Houston, Texas 77084.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District,

has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District because it is a Texas corporation. In addition, and in the alternative, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 7,797,011)

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq*.

10. Plaintiff is the owner by assignment of the '011 Patent with sole rights to enforce the '011 Patent and sue infringers.

11. A copy of the '011 Patent, titled "Communication Method and Communication Equipment in the PoC Service," is attached hereto as Exhibit A.

12. The '011 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. On information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claims 1, 3, 4 and 5, of the '011 Patent by making, using, importing, selling, and/or offering for sale Push-to-talk over cellular (PoC) communication equipment and systems, which are covered by at least Claims 1, 3, 4 and 5 of the '011 Patent.

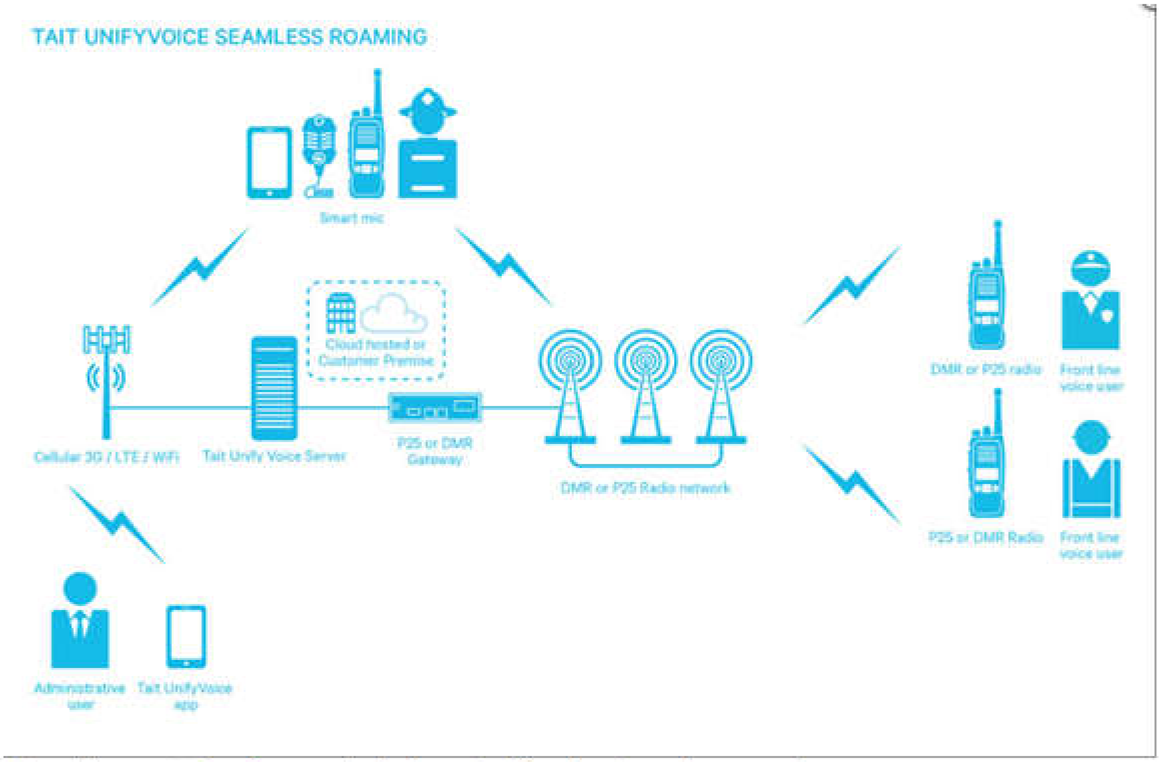
Defendant has infringed and continues to infringe the ‘011 patent directly in violation of 35 U.S.C. § 271.

14. Defendant sells, offers to sell, and/or uses (including by at least testing) Push-to-talk over cellular (PoC) equipment including, without limitation, Tait two-way radios and the Tait UnifyVoice application, and any similar products (“Product”), which infringe at least Claims 1, 3, 4 and 5 of the ‘011 Patent. The system includes a plurality of communication devices that can operate in a half-duplex session. A user of a device that does not “have the floor” can perform key operation and transmit that key operation to a user of a device that does “have the floor.”

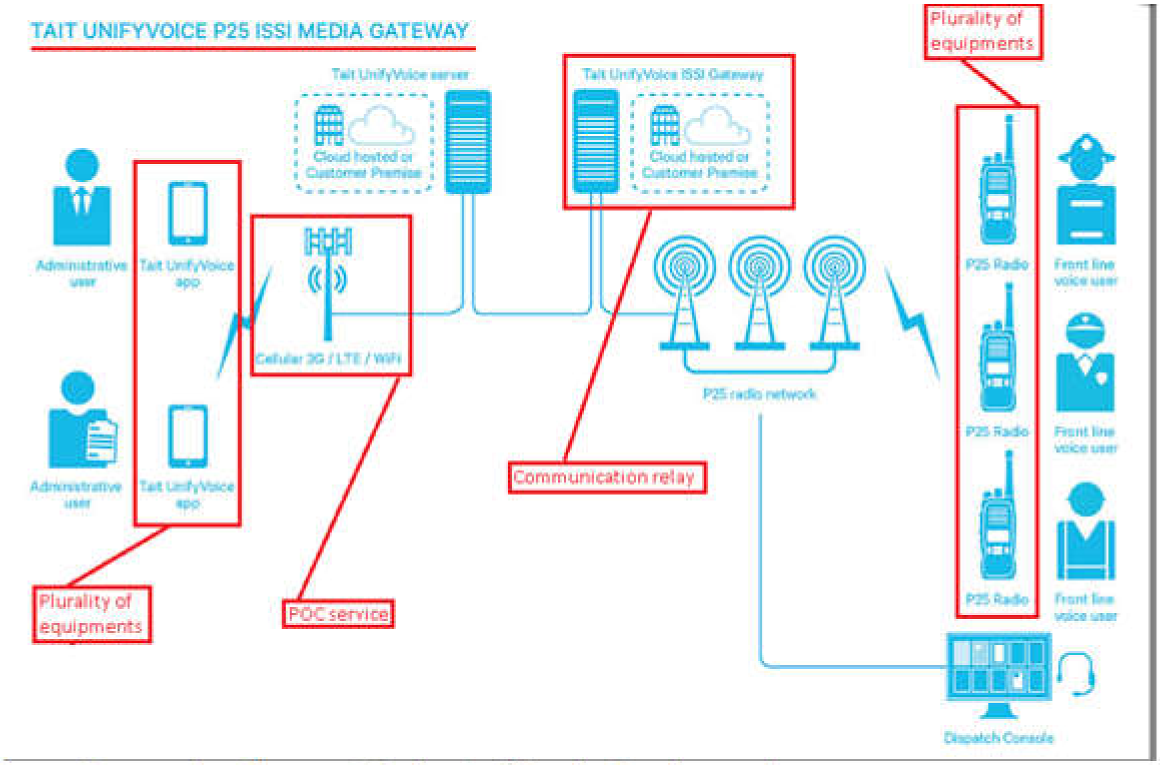
15. The Product practices a method of controlling a communication relay (e.g., a Tait UnifyVoice ISSI gateway) between a plurality of equipments (e.g., Tait two-way radios/smartphones or tablets with UnifyVoice PTTOC application) in a PoC service (e.g., Push-to-talk over cellular) which attains a half-duplex talk session using a packet communication (e.g., communication over an IP based network like LTE network) between the plurality of equipments, wherein each equipment comprises a talking key (e.g., a PTT key) and at least one operation information transmitting key (e.g., an emergency key). These and other elements are illustrated in the publicly available information regarding the Product, as shown below:

Tait UnifyVoice PTToC Solution
tait
communications
Unified Push-to-Talk over Cellular Solution for anyone, at anytime, anywhere.
Enhance and future-proof Land Mobile Radio (LMR) systems with integrated Push-to-Talk over broadband Cellular integration (PTToC).
The Tait UnifyVoice PTToC solution provides operational and administrative staff with enhanced access to instant communication and information.
Tait UnifyVoice PTToC Solution enhances:
Coverage – the ability to communicate when beyond the edges of LMR coverage or when in coverage black-spots, such as in-buildings, car-parks, or tunnels where cellular or WiFi signals are present.
Capacity – the ability to add extra capacity to your LMR system as your
UnifyVoice
UV

https://www.taitradio.com/__data/assets/pdf_file/0009/137889/Tait_UnifyVoice_Flyer.pdf


TAIT UNIFYVOICE SEAMLESS ROAMING
Smart mic
Cloud hosted or Customer Premise
Cellular 3G / LTE / WiFi
Tait Unify Voice Server
P25 or DMR Gateway
DMR or P25 Radio network
DMR or P25 radio
Front line voice user
P25 or DMR Radio
Front line voice user
Administrative user
Tait UnifyVoice app

https://www.taitradio.com/solutions/unifyvoice/seamless-roaming


TAIT UNIFYVOICE P25 ISSI MEDIA GATEWAY
Plurality of equipments
Tait UnifyVoice server
Cloud hosted or Customer Premise
Tait UnifyVoice ISSI Gateway
Cloud hosted or Customer Premise
Administrative user
Tait UnifyVoice app
Cellular 3G / LTE / WiFi
P25 Radio
Front line voice user
P25 radio network
Administrative user
Tait UnifyVoice app
Communication relay
Plurality of equipments
POC service
Dispatch Console

https://www.taitradio.com/solutions/unifyvoice/lmr-integration

P25 ISSI (Inter RF Subsystem Interface) Media Gateway

The Tait UnifyVoice P25 ISSI Media Gateway allows customers to interface their Tait P25 Radio Networks via ISSI. It performs interface functions between the UnifyVoice and P25 networks. This is a forward looking approach that offers a reduced cost of deployment and is not subject to near term obsolescence.

https://www.taitradio.com/solutions/unifyvoice/lmr-integration

Conclusion

Both the UnifyVoice DMR AIS Media Gateway and P25 ISSI Media Gateway offer a forward-looking approach with a reduced cost of deployment that is not subject to near term obsolescence.

Advantages of integrations using IP Media Gateways include:

- Encrypted end-to-end communication between DMR or P25 Radio and LTE and WiFi Networks,
- Significantly reduced cost of entry with software versus hardware centric analog gateway,
- Additional feature transparency between the DMR or P25 and UnifyVoice users including User and Talk Group ID, Emergency calls and more,
- Forward compatibility with LTE Release 12 and Release 13, including Mission Critical PTT over Cellular,
- Improved voice quality for all pure LTE communication on the network,
- UnifyVoice users are homed on the DMR or P25 Network,
- UnifyVoice Servers perform the subordinate media function.

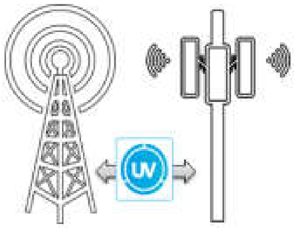
https://www.taitradio.com/solutions/unifyvoice/lmr-integration

Enhance and future-proof Land Mobile Radio (LMR) systems with integrated Push-to-Talk over broadband Cellular integration (PTToC).

The Tait UnifyVoice PTToC solution provides operational and administrative staff with enhanced access to instant communication and information.

Tait UnifyVoice does this through integration of Push-to-Talk over cellular, wifi and Tait LMR systems. It provides a choice of end-user devices that are familiar and are aligned to the user's job.

Tait UnifyVoice PTToC application is available on either Android or iOS and provides Push-to-Talk for anyone, at anytime, anywhere.



Tait UnifyVoice PTToC Solution enhances:

- **Coverage** – the ability to communicate when beyond the edges of LMR coverage or when in coverage black-spots, such as in-buildings, car-parks, or tunnels where cellular or WiFi signals are present.
- **Capacity** – the ability to add extra capacity to your LMR system as your organization grows, as work-groups are expanded or as agencies' communication systems are consolidated.
- **Expand Users** – provide ability to participate in group communications to non-radio users
- **Discreet Communications** – Covert users including undercover detectives, investigators can communicate using a standard Smartphone allowing them to more easily blend into their surroundings.
- **Awareness** – the ability for administrative staff to maintain incident awareness wherever they are located or for staff on call-back to develop awareness of the incident as they return to duty.

https://www.taitradio.com/__data/assets/pdf_file/0009/137889/Tait_UnifyVoice_Flyer.pdf

Cellular/WiFi Capabilities include:

- Instant Secure PTT Group and Individual Voice and Text
- AES-256 Voice & Data Encryption
- Easy to use Contact and Group Selection
- Wireless Carrier Independent and Cross Carrier Capable, 3G/4G LTE and WiFi
- Fast Call Setup and High Voice Quality
- In-Call Preemption and Priority based call override
- Live and Historical (Bread Crumb) Location Tracking
- Complete user account management via web administration tool
- Cloud Hosted
- High Availability Servers

Integration with Tait LMR Systems:

- Voice integration using 4-wire E&M network gateways (MPT, DMR or P25 Systems)

Capacity :

- Maximum Contact List Size: 895 Users
- Broadcast Group: 60,000
- Maximum Group Size: 250
  - Group types: Member, Open, Closed and Dispatch
  - Surveillance and Unicast Radio Channels

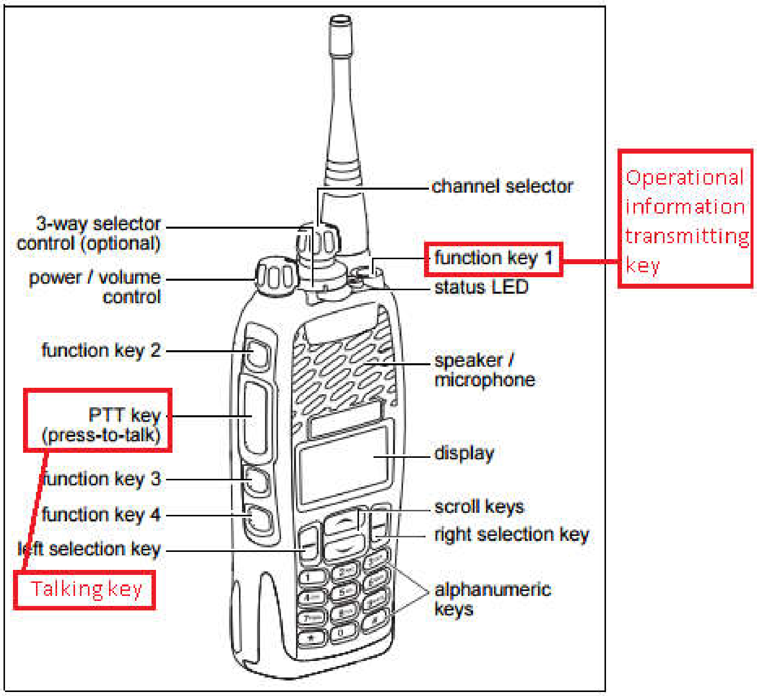
Future releases:

- Group and User Presence
- Instant Ad Hoc Group Calling
- Premise Servers
- PC Based Dispatch Client
- ISSI integration with Tait P25 Trunked networks
- AIS integration with Tait DMR Tier 2 and Tier 3 networks

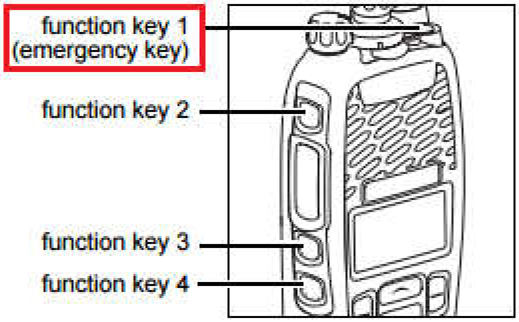
https://www.taitradio.com/__data/assets/pdf_file/0009/137889/Tait_UnifyVoice_Flyer.pdf

tait
1/9
TP9400 Front
CLOSE

https://www.taitradio.com/products/p25-radio/portables/tp9400#prettyPhoto[gallery1]/0/


channel selector
3-way selector control (optional)
function key 1
power / volume control
status LED
function key 2
speaker / microphone
PTT key (press-to-talk)
display
function key 3
function key 4
scroll keys
right selection key
left selection key
alphanumeric keys
Talking key
Operational information transmitting key

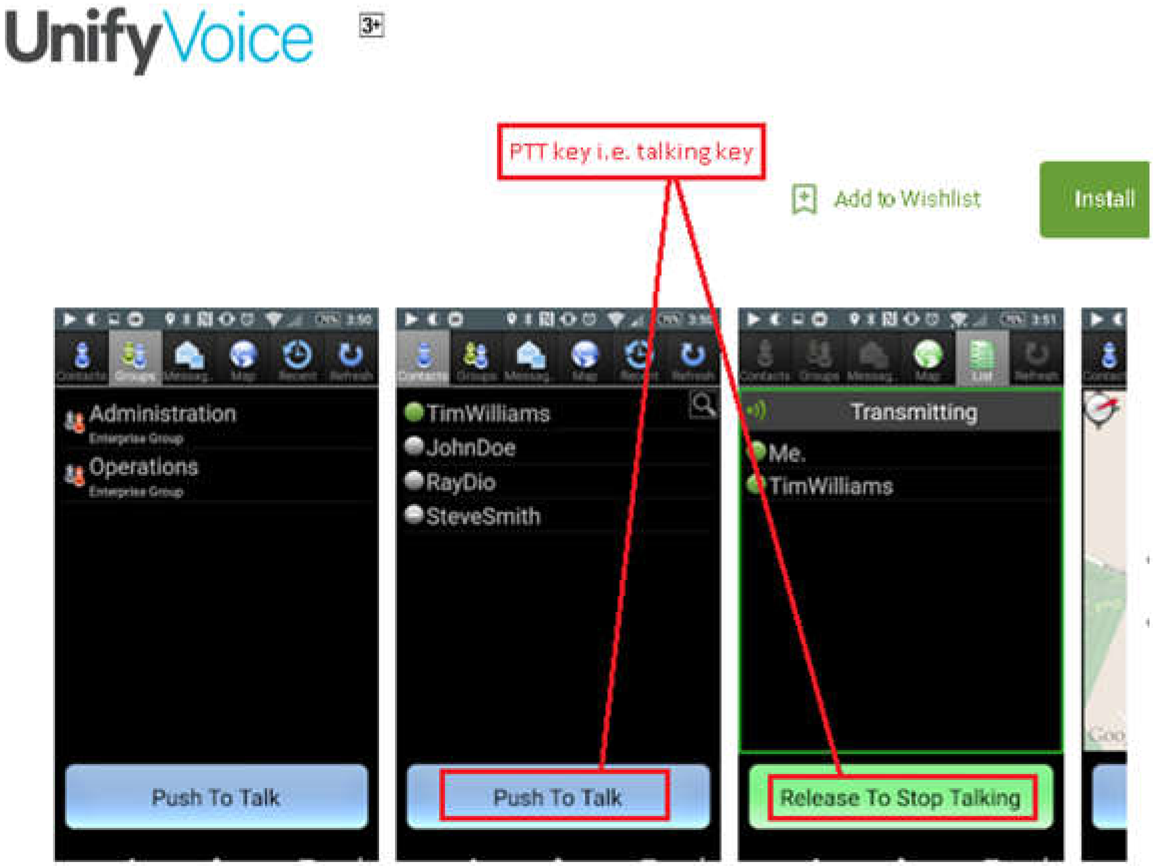
https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf



https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf

Name	Function
PTT key	Press and hold to transmit and release to listen
Power/volume control	Rotate to turn the radio on and change the speaker volume
Channel selector	Select and change channels
3-way selector (optional)	Select frequently used features
Left and right selection keys	Action determined by the text above the selection key
Scroll keys	Scroll up and down through a list of menu options, scroll left and right in messages, or select the Quick Access menu
Function keys	Programmed for frequently used options
Alphanumeric keys	Used to enter letters and numbers

https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf


UnifyVoice
3+
PTT key i.e. talking key
Add to Wishlist
Install
Administration
Enterprise Group
Operations
Enterprise Group
TimWilliams
JohnDoe
RayDio
SteveSmith
Transmitting
Me.
TimWilliams
Push To Talk
Push To Talk
Release To Stop Talking

https://play.google.com/store/apps/details?id=com.taitradio.eptt.android&hl=en

16. The Product manages the equipments (e.g., Tait two-way radios/smartphones or tablets with UnifyVoice PTTOC application) connected to the server (e.g., UnifyVoice server), wherein one of the plurality of equipments has taken “the floor” (e.g., pressing a PTT key) in the half-duplex talk session. This is illustrated in the publicly available information above and additional information below:

Making a call

To make a call:

1 Select the required zone (see "Selecting a zone" on page 56).

2 Select the required channel (see "Selecting a channel" on page 57).

3 Hold the radio so that the microphone is about one inch (2.5 cm) from your mouth and press the PTT key to transmit.

If the channel is busy, you may not be able to transmit. Wait until the status LED has stopped glowing green, and then try again.

4 Speak clearly into the microphone and release the PTT key when you have finished talking.

While you are transmitting the LED glows red and appears on the display.

Channel 1
Zone 11
Cancel
Menu

5 Finish your conversation as soon as possible and release the PTT key. For a short time, your radio may prevent you from making another call.

https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf

SLA, Tait and Avtec announce availability of advanced integration including ESChat LTE Push to Talk, P25 Radio and Local Dispatch components

Thursday, 17 March, 2016 – Christchurch, New Zealand

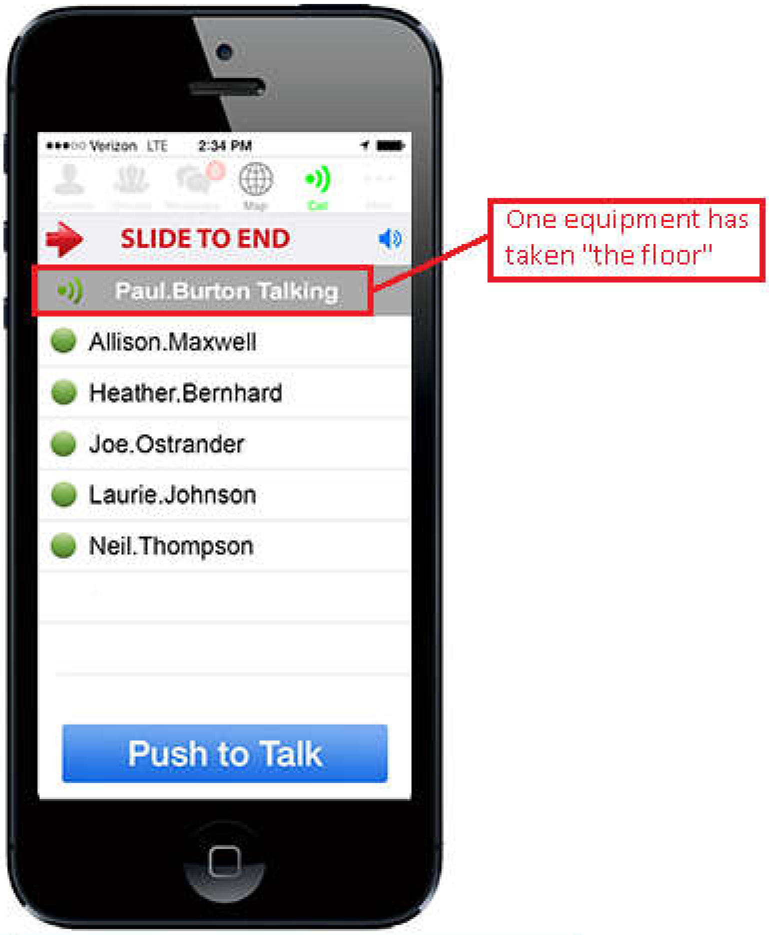
Leveraging the ISSI and CSSI interfaces, Tait, Avtec and ESChat will be demonstrating the fully interoperable P25 network at IWCE 2016 in Las Vegas, NV.

SLA Corporation, Tait Radio and Avtec Inc. have teamed up to demonstrate advanced P25 system integration at IWCE in Las Vegas Nevada on March 23 and 24, 2016. The demonstrations will include a Tait P25 radio network integrated with ESChat's full featured PTT over LTE via ISSI and Avtec's Scout™ Dispatch Console via CSSI.

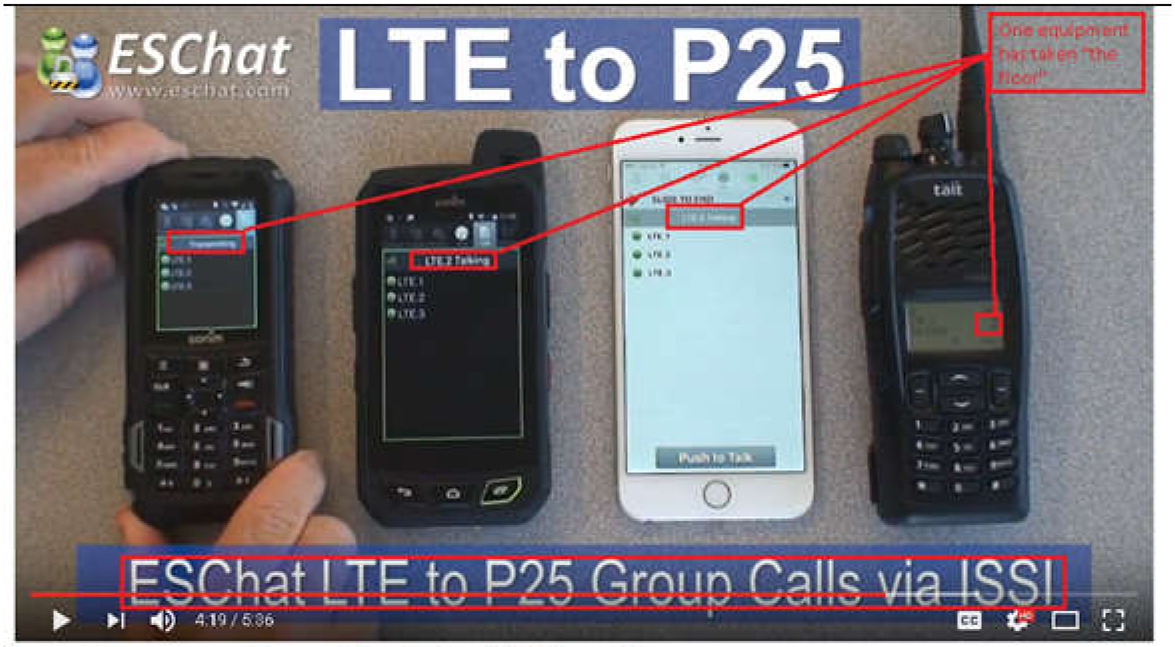
As public safety agencies begin the process of augmenting their LMR networks and/or transitioning towards LTE based Push to Talk communication, integration will play a key role in ensuring a smooth transition that requires interoperability between the networks.

"Tait is pleased to be partnered with ESChat to deliver leading convergence solutions," said Bruce Mazza, VP Solutions Management at Tait. "Tait collaborated to deliver the ISSI server-based gateways and developed its UnifyVoice solution using the ESChat server and SDKs. "Partnering with ESChat was the obvious choice for Tait since they have a proven, open platform, excellent reputation and innovative features."

https://www.taitradio.com/about-us/news/2016/sla-tait-avtec-integration-lte-push-to-talk-p25-radio-dispatch-components

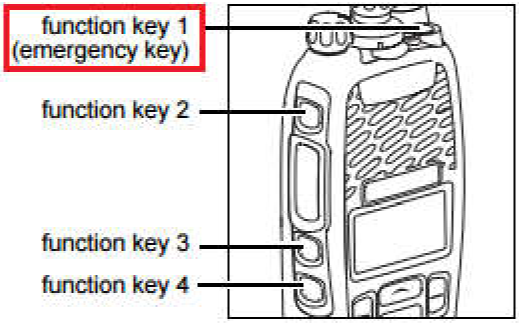

Verizon LTE 2:34 PM
SLIDE TO END
Paul.Burton Talking
Allison.Maxwell
Heather.Bernhard
Joe.Ostrander
Laurie.Johnson
Neil.Thompson
Push to Talk
One equipment has taken "the floor"

http://www.eschat.com/index.php?page=devices-ios


ESChat
www.eschat.com
LTE to P25
One equipment has taken "the floor"
LTE 2 Talking
tait
Push to Talk
ESChat LTE to P25 Group Calls via ISSI
4:19 / 5:36

https://www.youtube.com/watch?v=46T80m_pKxs

17. The Product acquires, as operation information (e.g., emergency information), a key operation of the operation information transmitting key (e.g., pressing an emergency key) of at least one of the plurality of equipments (e.g., Tait two-way radios/smartphones or tablets with UnifyVoice PTTOC application) that has not taken "the floor" (e.g., a user of the accused system who is listening or not pressing the PTT key) in the half-duplex talk session while said one of the plurality of equipments has "the floor" (e.g., a user of the accused system who has pressed the PTT key) in the half-duplex talk session. This is illustrated in the publicly available information above and the additional information below:


function key 1
(emergency key)
function key 2
function key 3
function key 4

https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf

About emergency calls

Warning When emergency mode is activated, your encryption keys may be automatically deleted from your radio.

In an emergency you can summon help by sending an emergency call. There are three types of emergency calls:

Call type	Explanation
Priority call	(Digital channels only.) An emergency alert is automatically sent to the current talkgroup. Calls made when the priority call feature is turned on are flagged as 'emergency' calls. For further information see "Making a priority call" on page 119.
Standard emergency call	When an emergency call is initiated, the radio enters 'emergency mode'. For further information see "Standard emergency mode" on page 120.
Manual emergency call	(Digital channels only.) Emergency is activated and your radio sends an alert to your dispatcher and other members of your group, along with your radio digital alias and location. For further information see "About manual emergency operation" on page 121.

https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf

What happens during an emergency call?

The *exact* way your radio behaves when it enters emergency mode depends on how your radio is programmed.

The main phases for emergency modes are summarized below. The length of each phase is determined when the radio is programmed.

When the emergency key is pressed:

① Digital channels: the radio continually sends emergency alerts to the dispatcher until a response is received. Details of your location may also be sent (if this feature is available for your radio).

↓

② The radio alternately transmits and receives so the dispatcher can hear what is happening in the vicinity of your radio.

(Emergencies end once this phase is complete or when you end emergency mode.)

https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf

Making a manual emergency call

Warning You will not be able to make a voice call on the channel until the 3-second emergency alarm has finished.

1 Press and hold the emergency key for longer than three seconds.

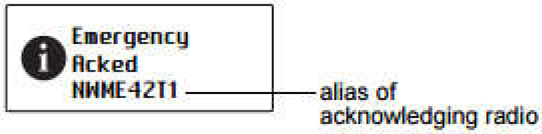
The radio gives three short beeps, rising in pitch.

Emergency appears in the display, and remains until the manual emergency call is canceled.

Emergency
Menu

If you receive an acknowledgement from another radio in your group, the manual emergency call is canceled, and the message **Emergency Acked** briefly appears in the display.

This feature is controlled by a software license (SFE) and may not be available with your radio.



https://support.taitradio.com/__data/assets/pdf_file/0003/138522/MPD-00003-05.pdf

18. The Product transmits the acquired operation information (e.g., emergency operation information) to the equipments (e.g., Tait two-way radios/smartphones or tablets with UnifyVoice PTTOC application) which are managed by a managing unit (e.g., UnifyVoice server).

19. The Product displays the operation information (e.g., emergency operation information) on a screen of said one of the plurality of equipments (e.g., Tait two-way radios/smartphones or tablets with UnifyVoice PTTOC application) that has “the floor” (a user who is speaking or pressed the PTT key) and/or on a screen of at least another one of the plurality of equipments that has not taken “the floor” (a user who is listening or not pressing the PTT key).

20. Regarding Claim 3, the Product comprises a communication equipment (e.g., Tait two-way radio/smartphone or tablet with UnifyVoice PTTOC application) for conducting a half-

duplex talk session using a packet communication (e.g., PTTOC communication over an IP based network like LTE network) with other equipments via a server (e.g., UnifyVoice server). The communication equipment comprises a transmitting unit (e.g., a transmitter) that transmits key operations (e.g., pressing an emergency key) of said communication equipment to the server as operation information (e.g., emergency information). The communication equipment comprises a receiving unit (e.g., a receiver) that receives the operation information (e.g., emergency information) transmitted from the server, the operation information indicating the key operation of respective equipments (e.g., pressing an emergency key on another equipment in the group).

21. Regarding Claim 4, the Product practices a method wherein the acquired operation information (e.g., pressing an emergency key) is transmitted to all of the equipments (e.g., all the two-way radios or smartphones with UnifyVoice PTTOC application in the caller group) which are managed by the managing unit (e.g., UnifyVoice server). These elements are further illustrated by the allegations above in connection with Claim 1.

22. Regarding Claim 5, the Product practices a communication method wherein the transmitted operation information (e.g., pressing an emergency key) is displayed on each screen of said all of the equipments (e.g., all the two-way radios or smartphones with UnifyVoice PTTOC application in the caller group) to share the operation information among said all of the equipments. These elements are further illustrated by the allegations above in connection with Claims 1 and 4.

23. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

24. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

25. Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 7,797,011 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: September 26, 2017

Respectfully submitted,

/s/ Jay Johnson
JAY JOHNSON
State Bar No. 24067322
D. BRADLEY KIZZIA
State Bar No. 11547550
KIZZIA JOHNSON, PLLC
1910 Pacific Ave., Suite 13000
Dallas, Texas 75201
(214) 451-0164
Fax: (214) 451-0165
jay@kjpllc.com
bkizzia@kjpllc.com

ATTORNEYS FOR PLAINTIFF

EXHIBIT A